

Appl. No. 10/802,159
Amdt. Dated July 21, 2005
Reply to Office Action of 04/21/05

Docket No. CM05518H
Customer No.. 22917

REMARKS/ARGUMENTS

Applicants have amended Claims 1, 10, 14, 18, 21 and 22 and have cancelled Claims 9, 16 and 17. Claims 1-8, 10-15 and 18-22 remain in this application. Applicants request reconsideration of this application in view of the above amendments and these remarks and arguments.

Applicants first acknowledge that the Examiner has objected to Claims 10-12 as being dependent upon a rejected base claim and states that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have cancelled Claim 9 and amended Claim 1 to include the limitations of Claim 9 and some further clarifications. Applicants have further amended Claim 10 to depend from the amended Claim 1. Applicants believe that these amendments to Claim 1 place this claim and the claims that depend from this claim (including Claims 10-12) in a condition for allowance.

The Examiner has rejected Claims 14-17, 19 and 22 under 35 U.S.C. 102(b) as being anticipated by Jung (2002/0143993). Applicants submit that their cancellation of Claims 16 and 17 render moot the Examiner's rejection of these claims. Applicants traverse the rejections to Claims 14, 15 19 and 22 because Applicants believe that Jung fails to disclose each limitation recited in amended Claims 14 and 22 and included by dependency in Claims 15 and 19.

For Example, Applicants have amended Claim 14 to include the limitation of recording the "first and second care-of addresses" and the limitations of "tunneling at least one datagram to said mobile node using said second care-of address when said second care-of address is *reachable*, and tunneling said at least one datagram to said mobile node using said first care-of address when said second care-of address is *unreachable*," which Applicants submit are not disclosed in Jung. Jung instead discloses, e.g., in the language in paragraphs [0053]-[0055] cited by the Examiner, a mobile node "receiving the Agent Advertisement message [and] determines. . . whether. . . an address of a GGSN serving as a gateway foreign agent *is registered in it*." If

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so, "the mobile node transmits a Registration Request message to the GGSN having transmitted the Agent Advertisement message, along with the registered address of the GGSN." Otherwise, "the mobile node detects an address of the GGSN serving as the gateway foreign agent from the received Agent Advertisement message and stores the detected address." Jung, thus, fails to disclose recording a first and second care of address as recited in Claims 14 and 22 but instead discloses a mobile recording a *single* address of the GGSN serving as the gateway foreign agent when this address is not already registered in the mobile node. Moreover, Jung does not disclose the limitations recited in Claims 14 and 22 of basing whether the first or second care-of address is used in tunneling a datagram to the mobile node on whether the second care-of address is *reachable or unreachable*.

For all of these reasons, Applicants believe that amended Claim 14 and 22 and Claims 15 and 19 that depend from and include all of the limitations of Claim 14 are in a condition of allowance.

The Examiner has rejected Claims 1-9, 18 and 21 under 35 U.S.C. 103(a) as being unpatentable over Jung (2002/0143993), in view of Borella (2004/153525). Applicants have cancelled Claim 9, thereby, rendering moot the Examiner's rejection of this claim. Applicants traverse the remaining rejections to Claims 1-8 and 21 because the combined teachings of Jung and Borella fail to teach or suggest all of the limitations recited in amended Claims 1 and 21 and included by dependency in Claims 2-9.

For example, Applicants have amended Claim 1 and 21 to include the limitations of "maintaining in a gateway foreign agent a first and a second lifetime value." The Examiner admits that Jung does not teach or suggest these limitations, but argues that Borella teaches maintaining a lifetime value. However, Borella does not teach or suggest a gateway foreign agent maintaining a first and a second lifetime value now recited in Claims 1 and 21. Therefore, Applicants believe that amended Claims 1 and 21 and Claims 2-9 that depend from and include all of the limitations of Claim 1 are now in a condition for allowance. Applicants submit that

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since Claim 18 depends from and includes all of the limitations of Claim 14, Claim 18 is allowable for all of the reasons above associated with Claim 14.

Claims 13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jung (2002/0143993), in view of O'Neill (2003/0223439). Applicants submit that since Claim 13 depends from and includes all of the limitations of amended Claim 1, Claim 13 is in a condition for allowance for all of the reasons above associated with Claim 1. Applicants further submit that since Claim 20 depends from and includes all of the limitations of amended Claim 14, Claim 20 is in a condition for allowance for all of the reasons above associated with Claim 14.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.
Respectfully submitted,

SEND CORRESPONDENCE TO:

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